

FILED

3:35 pm, 9/20/23

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

**Margaret Botkins
Clerk of Court**

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| <p>AMERICAN WILD HORSE CAMPAIGN, et al.,</p> <p style="text-align: right;">Petitioners,</p> <p style="text-align: center;">v.</p> <p>TRACY STONE-MANNING, et al.,</p> <p style="text-align: right;">Respondents,</p> <p style="text-align: center;">and</p> <p>STATE OF WYOMING,</p> <p style="text-align: right;">Intervenor.</p> | <p>Civil Nos. 2:23-cv-84-NDF (Lead); 2:23-cv-87-NDF (Joined); 2:23-cv-117-NDF (Joined)</p> |
| <p>RETURN TO FREEDOM, et al.,</p> <p style="text-align: right;">Petitioners,</p> <p style="text-align: center;">v.</p> <p>DEB HAALAND, et al.,</p> <p style="text-align: right;">Respondents.</p> | |
| <p>FRIENDS OF ANIMALS,</p> <p style="text-align: right;">Petitioner,</p> <p style="text-align: center;">v.</p> <p>DEB HAALAND, et al.,</p> <p style="text-align: right;">Respondents.</p> | |

SCHEDULING ORDER

Upon consideration of the Joint Motion to Enter Scheduling Order and Proposed Litigation Plan, filed by Petitioners, Federal Respondents, and Intervenor-Respondent, and for good cause shown, it is hereby ORDERED that the parties shall adhere to the following schedule and word limits:

1. Administrative Record

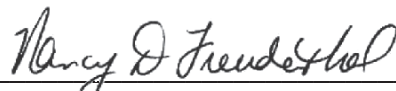
- a. The Federal Respondents filed and served the Administrative Record for these cases on September 5, 2023.
- b. Petitioners agree to provide Federal Respondents with a complete list of all requests to complete and/or supplement the Administrative Record no later than October 13, 2023. Any such requests not made before October 13, 2023 are deemed waived.
- c. The Federal Respondents shall respond to any requests made under Paragraph (1)b no later than October 25, 2023.
- d. The Parties shall make all reasonable efforts to informally resolve any disputes regarding the contents and/or scope of the Administrative Record. In the event the Parties fail to resolve disputes regarding the Administrative Records, any motion relating to the adequacy of the Administrative Records shall be filed no later than November 22, 2023. Any such motion will have the effect of vacating the merits briefing schedule set forth below in Paragraph 2, and the parties will propose a new merits briefing schedule within fourteen days of the Court resolving the record motion.
- e. The Petitioners agree to file a single joint motion subject to the page limits set forth in Local Rule 7.1(b)(1) (*i.e.*, no longer than ten pages). The Federal Respondents' response and the Petitioners' reply will also be governed by the page and time limits set forth in Local Rule 7.1(b)(1).

2. Briefing on the Merits

- a. If no motions are filed under Paragraph 1, Petitioners' Opening Briefs on the merits shall be filed no later than January 8, 2024. Petitioners in each of the three consolidated cases may file individual Opening Briefs (three Opening Briefs in total). Briefs shall be filed in accordance with Fed. R. App. P. 32(a)(7), as provided for in Local Rule 83.6(c), and be no more than 13,000 words.
- b. Federal Respondents shall file their Response Brief on the merits no later than March 29, 2024. Federal Respondents shall file a consolidated response brief of no more than 39,000 words (equal to the total amount of briefing from Petitioners). Federal Respondents will make every effort to capitalize on efficiencies gained from consolidated briefing and potential overlap in Petitioners' Opening Briefs to file a brief shorter than 39,000 words if possible.
- c. Any Intervenor-Respondent that may be a party to this litigation shall file its Response Brief of no more than 13,000 words no later than April 5, 2024.
- d. Petitioners shall file their Reply Briefs of no more than 6,500 words each no later than May 10, 2024.

SO ORDERED.

September 20, 2023.



NANCY D. FREUDENTHAL
UNITED STATES SENIOR DISTRICT JUDGE